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RUEHKA/AMEMBASSY DHAKA PRIORITY 9943
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 2814
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C O N F I D E N T I A L KATHMANDU 001799

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TAGS: [PGOV](#) [PHUM](#) [PTER](#) [NP](#)
SUBJECT: RESIGNATION OF COMMISSIONERS AFTER PRESSURE

REF: A. KATHMANDU 1784

[1](#)B. 05 KATHMANDU 1135

Classified By: Charge d'Affaires Nicholas Dean. Reasons 1.4 (b/d).

Summary

[1](#)1. (C) The Commissioners of the Election Commission (EC) and the National Human Rights Commission (NHRC) tendered their resignations on July 9 after intense pressure from members of Parliament. Political party leaders conceded the Maoists had been pressing for the resignations of the Commissioners, but immediately welcomed the resignations. There does not appear to be a timeline for replacing the Commissioners of either of the two bodies. The NHRC has recently been critical of Maoist violations of the Code of Conduct regarding the ceasefire. The resignations could negatively affect monitoring of the ceasefire. End Summary.

Leaders Call For Resignation

[1](#)2. (C) Leaders of the House of Representatives announced on July 8 that they planned to impeach the Commissioners of both bodies for their "anti-democratic" behavior during the King's direct rule. Media reports indicated that 70 Members of Parliament signed a petition supporting impeachment of the Commissioners on July 7 (ref A). Anil Jha, Joint General Secretary of the Nepal Sadbhawana Party-Ananda Devi (NSP-AD),

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conceded to us that the resignations were also a Maoist demand. He explained that instead of allowing the Maoists to take the lead, the parties decided to take the lead in forcing them to resign.

Commissioners Resign

[1](#)3. (C) The NHRC members who resigned were Nayan Bahadur Khatri, Chairman of the NHRC first appointed by a democratic government (ref B), and members of the NHRC Sudip Pathak, Sushila Singh, Ram Dayal Rakesh, and Gokul Pokharel. Pathak told Emboff privately a few weeks ago that the PM had decided not to ask for their resignations because of the fear that, if they resigned, the Maoists would put pressure on the

Government of Nepal (GON) to appoint Maoists to the NHRC. Pathak told us today that the members of the NHRC would continue to work until the PM officially accepts their resignations. Although civil society had been against the 2005 appointment of the NHRC Commissioners, many others had viewed the NHRC as objective and critical of both the Maoists and the Government.

¶4. (C) The EC members who resigned were Keshav Raj Rajbhandari, Chief Election Commissioner, and Commissioner Damaru Ballav Bhattarai. Two other Commissioners, Dil Bahadur Karki and Jayaram Singh Bohara, were expected to resign on July 10, according to EC officials. Baburam Khanal, an official at the EC, stated that Rajbhandari and Bhattarai have stopped going to work, but Bohara and Karki were still going to the office. Khanal told us that the government had not decided on interim replacements for the Commissioners. Many suspect the loyalty of the current Commissioners to the current GON, especially since the King's hollow municipal elections in February 2006. Their replacement had been anticipated because the GON plans to hold constituent assembly elections in April 2007.

Political Parties Pleased

¶5. (C) Political party leaders were pleased with the resignation of the Commissioners. Jha told us that the members of both commissions were "from regressive rule, so they had to be removed from post." Jhalanath Khanal, Standing Committee Member of the CPN-UML, stated that the parties would like to replace the Commissioners with people who "respect democracy so that the people of Nepal know that true democracy has been established." Other Embassy sources have speculated the parties would like to replace the Commissioners with their own supporters.

Comment

¶6. (C) Although political party leaders appeared to view the resignations as a positive development, the resignations leave a vacuum in the leadership of two organizations. The Election Commission will need to become energized to prepare for any constituent assembly elections. The resignations of the NHRC is more worrying. In contrast to the Election Commission, the NHRC has been active in monitoring the Code of Conduct and calling both the Maoists and the GON to account for their actions.

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